

REMARKS

Claims 1-24 are pending and are unamended. Withdrawal of the outstanding rejections is respectfully requested for at least the reasons set forth below.

Request for Interview Prior to Formal Action on Amendment

Applicants request an interview prior to formal action on this response. An "Applicant Initiated Interview Request Form" accompanies this response. Please contact Applicants' undersigned representative to schedule the interview.

Drawings

The disclosure was objected to because Figures 1-20 do not contain reference characters. Applicants respectfully traverse this objection. Reference characters would not improve the comprehension of any of the figures to one of ordinary skill in the art. Thus, reference characters are not believed to be necessary to understand how the drawings relate to the written description of the invention, or vice-versa. Applicants have carefully reviewed the USPTO rules regarding drawings and cannot find any requirement that reference characters must be used. 37 CFR 1.84(p) sets forth the rules for use of reference characters but does not require their use.

The disclosure was further objected to because numerous figures were referred to as being "self-explanatory." Applicants also respectfully traverse this objection. Additional explanation of the figures would not improve the comprehension of any of the figures to one of ordinary skill in the art. For example, an artisan would fully understand how to read the database and authentication schemas in Figures 2, 3, 14, and 15A-15B. Any explanation of the schema would only be redundant to what is illustrated in these figures.

Rejection under 35 U.S.C. § 103(a)

Claims 1-11, 13, 15-17, 19-21 and 23-24 were rejected under 35 U.S.C. § 102(e) as being as allegedly being anticipated over U.S. Patent No. 6,418,441 (Call). Claims 12, 14, 18 and 22

were rejected under 35 U.S.C. § 103(a) as being as allegedly being unpatentable over Call in view of U.S. Patent No. 6,314,451 (Landsman et al.). Applicants respectfully traverse these rejections.

1. Call

Call discloses a method of providing Internet shoppers with product information describing each of a plurality of products produced by a plurality of different manufacturers. Each of the products is designated by a universal product code (UPC). As described in column 2, lines 16-56; column 4, lines 30-34; column 21, lines 40-60; and claim 11, among other locations, the method operates as follows:

1. Product information is stored in a plurality of different information servers connected to the Internet. Each of the information servers are operated on behalf of at least one of the manufacturers and each of the information servers are designated by a different Internet address.

2. A database contains a plurality of cross-references in at least one cross-referencing resource (e.g., the Internet Domain Name Service). Each cross-reference defines an association between at least a portion of one or more UPC's and the Internet address of one of said information servers. More specifically, the database stores the company code portion of the UPC. As described on column 2, lines 49-56, to reduce the size of the cross-reference databases, the database links UPC's with a company's web site (e.g., a home page of the company from which company products can be located), and not directly to a web page that contains the product information.

3. A web browser controlled by an Internet shopper transmits a web page containing a hypertext link which includes a reference to a specific UPC.

4. The web browser activates the hypertext link to transmit an address request message to the database. The address request message contains at least a portion of the specific UPC.

5. The database returns to the web browser a response message containing the specific Internet address associated with the specific UPC, namely, the Internet address of the company code portion of the UPC.

6. The browser automatically retrieves and displays product information from the specific Internet address.

The Examiner asserts that column 2, lines 18-29 of Call discloses a web browser that requests a web page that includes a script associated with selected content. This is incorrect. The web page in Call merely includes a hypertext link associated with selected content. A link is not a script. A “link” is merely a software pointer on a web page that you click on to navigate to another location. See, Appendix A which lists multiple definitions of a “hypertext link” from Google. In contrast, a “script” in the computer science/software field is a kind of program that consists of a set of instructions (list of commands) that is executed by another program. A script is also referred to as a macro or batch file. See, Appendix B which lists multiple definitions of a “script” from Google. From the multiple definitions, it is clear that the concept of a link is completely different than the concept of a script, and that a link cannot be a script, and vice-versa. Figs. 17-19 of the present specification are JavaScript source code snippets for implementing a web application embodiment of the present invention. Such code snippets may contain a link, but a code snippet itself is not a link. In sum, the process described in column 2, lines 18-29 does not employ script included in a web page.

The Examiner further asserts that column 2, lines 18-29 of Call discloses a web browser that interprets a script and formats a request to obtain the selected content from a remote site. This is also incorrect. As described above, Call’s web browser merely sends the link (which contains a UPC) to the cross-referencing resource (e.g., the Internet Domain Name Service) which, in turn, returns an Internet address of an information source associated with the manufacturer of product identified by the UPC. The web browser then navigates to the Internet address. The web browser in Call does not interpret any script to perform this process.

The Examiner also refers to column 15, lines 39-52 and column 21, lines 43-48 of Call as allegedly disclosing a web browser that interprets a script and formats a request to obtain the selected content from a remote site. Column 21, lines 43-48 of Call merely describes the navigation process summarized above and has no disclosure or suggestion of this feature. Column 15, lines 39-52 of Call describes a Perl program (i.e., a Perl script) called show.pl which is used to perform the multi-step process summarized above. However, the use of this Perl script differs significantly from the claimed script.

First, the Perl script described in Call is not included in a web page. It is executed only after the link included in a web page is sent to the cross-reference server. Second, the Perl script

is executed in (interpreted by) the cross-reference server, not in the web browser (see, column 19, lines 53-54 of Call). Although Call and the present invention both execute and interpret scripts, the scripts are used in a completely different manner, and by different elements in the respective systems, to accomplish different functions.

2. Patentability of independent claims 1, 13, 17 and 21 over Call

For the reasons discussed above, each of the independent claims recites at least the following underlined limitations that are not disclosed or suggested in Call:

1. A method of obtaining selected content for a web page, wherein the selected content itself is not initially part of the web page, the web page including script associated with the selected content, the method comprising:

- (a) a web browser requesting a web page that includes script associated with the selected content; and
- (b) the web browser interpreting the script and formatting a request for obtaining the selected content from a remote site, the request including a uniform resource identifier (URI) of the web page and a unique identifier of the selected content.

13. A method of syndicating digital assets comprising:

- (a) constructing a web page; and
- (b) inserting into the web page script associated with at least one digital asset that is desired to be part of a fully rendered web page, wherein the script, when executed by a browser, requests the content of the digital asset from a remote site, the request including a uniform resource identifier (URI) of the web page and a unique identifier of the selected content.

17. An article of manufacture for syndicating digital assets, the article of manufacture comprising a computer-readable medium holding computer-executable instructions for performing a method comprising:

- (a) constructing a web page; and
- (b) inserting into the web page script associated with at least one digital asset that is desired to be part of a fully rendered web page, wherein the script, when executed by a browser, requests the content of the digital asset from a remote site, the request including a uniform resource identifier (URI) of the web page and a unique identifier of the selected content.

21. An apparatus for syndicating digital assets comprising:
(a) means for constructing a web page; and
(b) means for inserting into the web page script associated with at least one digital asset that is desired to be part of a fully rendered web page, wherein the script, when executed by a browser, requests the content of the digital asset from a remote site, the request including a uniform resource identifier (URI) of the web page and a unique identifier of the selected content.

Each of the independent claims were alleged to be anticipated by Call. Since each of the independent claims include numerous limitations that are not disclosed in, or suggested by, Call, the independent claims are believed to be patentable over Call. Nor does Landsman et al. make up for the above-noted deficiencies in Call.

Accordingly, withdrawal of the rejection over Call is respectfully requested.

3. Patentability of dependent claims

The dependent claims are believed to be patentable because they depend from allowable independent claims and because they recite additional patentable features.

Conclusion

Insofar as the Examiner's rejections were fully addressed, the instant application is in condition for allowance. A Notice of Allowability of all pending claims is therefore earnestly solicited.

Respectfully submitted,

RICHARD D. MARTIN et al.

June 30, 2005
(Date)

By: _____

Clark Jablon
CLARK A. JABLON

Registration No. 35,039

AKIN GUMP STRAUSS HAUER & FELD LLP

One Commerce Square

2005 Market Street - Suite 2200

Philadelphia, PA 19103

Direct Dial: (215) 965-1293

Facsimile: (215) 965-1210

Enclosure (Appendices A and B)

7426884 v1